

REMARKS

The Official Action mailed June 8, 2010, has been received and its contents carefully noted. This response is filed within three months of the mailing date of the Official Action and therefore is believed to be timely without extension of time. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statement filed on March 31, 2006.

Claims 7-18 and 22-25 were pending in the present application prior to the above amendment. Claim 22 has been amended to better recite the features of the present invention and new claim 29 been added to recite additional protection to which the Applicant is entitled. Claims 7-18 have been withdrawn from consideration by the Examiner. Accordingly, claims 22-25 and 29 are currently elected, of which claim 22 is independent. For the reasons set forth in detail below, all claims are believed to be in condition for allowance. Favorable reconsideration is requested.

Paragraph 4 of the Official Action rejects claims 22 and 25 as anticipated by JP 08-107345 to Yanagida. The Applicant respectfully submits that an anticipation rejection cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP § 2131, to establish an anticipation rejection, each and every element as set forth in the claim must be described either expressly or inherently in a single prior art reference. Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987).

Independent claim 22 has been amended to recite that the first transistor and the second transistor are connected to each other with at least one of the plurality of inverters interposed therebetween, supported in the specification, at least, by Figure 3. The Applicant respectfully submits that Yanagida does not teach the above-referenced features of the present invention, either explicitly or inherently.

Since Yanagida does not teach all the elements of the independent claims, either explicitly or inherently, an anticipation rejection cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 102 are in order and respectfully requested.

Paragraph 6 of the Official Action rejects claims 23 and 24 as obvious based on the combination of Yanagida and U.S. Patent No. 6,646,486 to Uchiki. The Applicant respectfully submits that a *prima facie* case of obviousness cannot be maintained against the independent claims of the present application, as amended.

As stated in MPEP §§ 2142-2144.04, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some reason, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some reason to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole would have suggested to those of ordinary skill in the art." In re Kotzab, 217 F.3d 1365, 1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

Please incorporate the arguments above with respect to the deficiencies in Yanagida. Uchiki does not cure the deficiencies in Yanagida. The Official Action relies on Uchiki to allegedly teach the features of the dependent claims. However, Yanagida and Uchiki, either alone or in combination, do not teach or suggest that the first transistor and the second transistor are connected to each other with at least one of the

plurality of inverters interposed therebetween. Since Yanagida and Uchiki do not teach or suggest all the claim limitations, a *prima facie* case of obviousness cannot be maintained. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. § 103(a) are in order and respectfully requested.

At this opportunity, the Applicant has further amended claim 22 to recite "a first circuit for-generating configured to generate a third potential" and "a second circuit for generating configured to generate a fourth potential" in order to clarify the features of the present invention.

New claim 29 has been added to recite additional protection to which the Applicant is entitled. The features of claim 29 are supported in the present specification, at least, by paragraph [0100] of the pre-grant publication. For the reasons stated above and already of record, the Applicant respectfully submits that new claim 29 is in condition for allowance.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number listed below.

The Commissioner is hereby authorized to charge fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(a), 1.20(b), 1.20(c), and 1.20(d) (except the Issue Fee) which may be required now or hereafter, or credit any overpayment to Deposit Account No. 50-2280.

Respectfully submitted,

  
Eric J. Robinson  
Reg. No. 38,285

Robinson Intellectual Property Law Office, P.C.  
3975 Fair Ridge Drive, Suite 20 North  
Fairfax, Virginia 22033  
(571) 434-6789